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# MAUI NEWS.

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VOLUME XII

WAILUKU, MAUI, H. T., SATURDAY, DECEMBER 2, 1905

NUMBER 1576

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WAILUKU, MAUI, H. T.

## MISDEMEANOR PRISONERS MAY NOT WORK.

The Supreme Court holds that Misdemeanor prisoners can not be compelled to work in public.

## DEATH OF HENRY MEYER

For Nine years employed by Kahului Railroad Company—Practically dies at his post.

### DEATH OF HENRY D. MEYERS.

Henry D. Meyer died at the Malulani Hospital on the 25th of November of a relapse of Pneumonia and pleurisy after an illness of over three months.

He was born on Hawaii June 20th 1880 and moved with his parents to Maui when quite young. At an early age he entered the employ of the Kahului Railroad Co. and worked steadily for this company for nine years four months and twelve days when he became ill with Pneumonia that confined him to his room for over three months.

Desiring to return to this post he ventured out too soon and taking a relapse lived but a short time.

He was an ambitious young man and lost no opportunity to avail himself of every means of advancing himself in his profession.

While working in the machine shop he studied at nights and graduated from the Amherst correspondence school of Chicago.

As he was a steady young man of ability with the one ambition to make a thorough machinist of himself there was every reason to believe that he would climb to the top of his chosen work. That he practically died at his post is shown by the fact that during the last days of his illness while in a delirious state he constantly talked of his work and gave orders about the work he thought he was doing. The remains were taken charge of by the societies to which he belonged and were buried on Sunday morning. The funeral was very largely attended.

### MISDEMEANOR PRISONERS MAY NOT WORK IN PUBLIC.

On the 22nd inst. the Territorial Supreme Court rendered a decision that will materially affect the building of public works by prisoners confined in the jails for periods of time less than one year.

Wong Lung of Honolulu was recently sentenced by Judge Whitney to six months imprisonment on a charge of receiving stolen goods to the value of \$30.00. This then constitutes a misdemeanor and not a felony and can not be punished by hard labor in public, but merely confinement in jail.

The decision of the court rendered by Frear and Hartwell, decides the very important point that the country prisoners, which are those incarcerated for misdemeanors, can not be made to work on the public roads, at least not in the public view as at present. The decisions were rendered orally and were in full as follows:

Frear: "The court is of the opinion that the treatment of the prisoner by the High Sheriff was of an infamous nature, that is,

that it is infamous punishment to take one sentenced for the commission of a misdemeanor, imprisoned in Honolulu jail, through the public streets in a uniform, the uniform used in that jail and compel him to work on the public parks of the city in the public view, but the court is of the opinion that that does not necessarily entitle the prisoner to his discharge. It appears that the prisoner is imprisoned lawfully under a lawful sentence, and the High Sheriff, the respondent, is entitled to retain him under that sentence in Honolulu jail. The fact that the jailor, the respondent, has inflicted a punishment or wrong upon the prisoner which he was not by law authorized to inflict would not entitle the prisoner to his discharge particularly when, as in the present case, it appears that on unlawful punishment, or that wrong, was imposed upon him at a time prior to the bringing of this petition some days prior I believe.

"Accordingly, the order of the court is that the prisoner be and he is remanded to the custody of the High Sheriff."

Hartwell: "As to what constitutes infamous punishment there are so many different things, not merely hard labor as the Attorney General has said. Being found in company with felons is per se an infamy. Hard labor is not per se infamous. On the contrary it is highly honorable in the opinion of a great many people, including myself. It is the association of the thing, the compulsory hard labor in the public eye. I would not say that compulsory hard labor away from the public gaze was infamous by any means, but bringing anybody before the public dressed in the garb that shows just what he is that he is a jail bird and no matter whether his hair is cropped or not, so that everybody understands what he is, and then putting him at the hard labor, is what I think is calculated to bring contempt upon anybody."

### HAWAIIAN MEDICAL MEN MEET.

The annual convention of the Hawaiian Territorial Medical Association was concluded in Honolulu on the 20th inst. At the close of the meeting a banquet was had at the Young Hotel.

During the afternoon session the following officers were elected for the ensuing year.

President, Dr. J. T. Wayson; vice-president, Dr. Edward Armistead; secretary, Dr. A. N. Sinclair; executive committee, Drs. George Herbert and W. E. Taylor.

The most important matter during the afternoon was the adoption of the following resolution, submitted by Dr. Wood, chairman of the special committee on the Nuanu water supply:

"Whereas, The government has

now under construction in Nuanu valley, about Luakaha, a large reservoir, to be used when completed for the storage of surface water which is designed to be the main water supply of the city of Honolulu; and, Whereas, It has been demonstrated in many cities at great cost in human lives that the only safety from typhoid fever, dysentery and cholera and other water-borne diseases to communities depending upon a surface water supply lies in the filtration of the water used for domestic purposes; therefore be it.

"Resolved, That the Hawaiian Territorial Medical Society call to the attention of the government the necessity of immediate action in the matter of establishing a filtration plant for the Nuanu water supply; and be it.

"Resolved, That a committee of three be appointed to act for this society and authorized to confer with the Governor of the Territory and the President of the Board of Health in carrying out the purposes of these resolutions."

During the afternoon Surgeon Valdimir of the Russian cruiser Lena paid a visit to the meeting and was heartily received. He appeared in full uniform and made a graceful little speech in which he said that there were no nationalities in the medical profession, all were an international red cross society.

The following papers were read: "Acquired Race Immunity." Dr. Carl Ramus, U. S. Marine Hospital Service; "Purulent Inflammation of the middle Ear and Mastoid Cells." Dr. W. G. Rodgers, Honolulu; "Injuries of Bones."

### TOURIST REVENUE.

The October Paradise of the Pacific contains the following which is well worthy of thoughtful consideration by every citizen of the islands.

As the leaves begin to fall back in the Pine Tree state the Portland Board of Trade Journal is constrained to make these remarks, which are worthy of the attention of the tourist seekers of Hawaii:

"Without doubt the tourist season just closing was the most successful in the history of summer travel in the state of Maine. The climatic conditions were as near perfect as it would be possible had they been made to order, and according to estimates now being made, the state is something over \$20,000,000 to the good as a result thereof. And from no other source of revenue in the state is the money so generally distributed as in the case of the traveling tourist, almost every branch of industry having derived a substantial benefit from this enormous sum of money which has found its way into the coffers of our city merchants, the country store-keepers, hotels and boarding houses alike, while this influx has created an increased demand for the manufacturer, the farmer and the laborer, so that it would be well nigh impossible to name a branch of trade that has not been directly or indirectly benefited by our ever increasing summer tourist business. Taking these things in consideration we should all deem it a personal duty to stand ready at all times to render any little courtesy, such as enlightening the stranger on things he may want to know; it takes but a moment of our time, but means much to a visitor, and inasmuch as a place is judged best by the people there met, these little marks of respect mean much more for us all than a passing thought would suggest. Let the state acquire a reputation for genuine hospitality and it will mean far more than good hotels and attractive scenery towards endearing the state to those who come seeking rest and recreation, in a resort whose people hold out an ever welcome hand of greeting."

## ALL POST OFFICES CLOSED.

Workmens council of St. Petersburg decides to close Post offices—Government ignorant of conditions in interior

## LIEUTENANT SCHMIDT CAPTURED.

Lieutenant Schmidt the leader of the rebels at Sebastopol captured—Sultan obdurate. Pennsylvania Defeats Cornell 6 to 5—Chicago defeats Michigan 2 to 0.

Sugars, 96 deg. test 3.5624. Beet 8s. 3d.

ST. PETERSBURG, Dec. 1.—The working mens council decided to close the general Post Offices.

It is estimated that 100,000 workmen will be thrown out of employment.

The government is ignorant of the situation in the interior. The Cabinet today decided to declare martial law.

SIBASTOPOL, Dec. 1.—It is officially stated that one rebel torpedo boat has been sunk and two hundred disabled. The rebel cruiser Otchakoff is burning. Lieutenant Schmidt who was in command of the rebel forces has been wounded and captured.

CONSTANTINOPLE, Dec. 1.—It is believed that the Sultan will not act until further demonstration has been shown.

SAN FRANCISCO, Dec. 1.—The University of Pennsylvania defeated Cornell at foot ball by a score of 6 to 5. Chicago won from Michigan 2 to 0. Indiana went down before Ohio in a score of 11 to 0.

SEBASTOPOL, Nov. 28.—The mutineers have surrounded the military barracks and shut off the water supply.

They plan to starve the barracks garrison into submission.

The mutineers from the battleship Knaz Potemkine of the Black Sea fleet, whose crews recently mutinied, have gone ashore.

Admiral Chauknin, it is said, will commence attack upon the mutineers upon the arrival of fresh troops.

Several more officers were killed yesterday in engagements with the mutineers.

ST. PETERSBURG, Nov. 28.—Official dispatches state that the Sebastopol mutineers are willing to surrender but the press dispatches state that the mutineers have won over a whole battalion of reservists and that the local authorities are entirely helpless.

CLEVELAND, Nov. 28.—Mrs. Cassie Chadwick stated yesterday that she desires to make a clean breast of her numerous crooked financial transactions.

Other than herself are said to be implicated.

WASHINGTON, Nov. 28.—The Supreme Court has sustained the legality of the death sentence of Mabel Rogers, the Vermont murderess.

WARDEN, Nov. 28.—The Governor of Vermont has declined to interfere with the execution of Mabel Rogers.

LONDON, Nov. 28.—Lord Roseberry, ex-Liberal leader, has repudiated the proposition of placing an Irish Home Rule plank in the Liberal platform and there is a possibility of a split in the party.

NEW YORK, Nov. 28.—A denial has been issued of the statement that President McCurdy, of the Mutual Life, and his relatives have resigned.

CHICAGO, Nov. 28.—Marshall Field, junior, son of the head of the well-known mercantile house of Marshall Field & Co. is dead.

LONDON, Nov. 28.—King Edward has offered a cup for the trans-Atlantic yacht race to be held in nineteen hundred and seven.

MYTELIN, Nov. 28.—The allied fleet has landed five hundred sailors here and seized the local Turkish customs house.

MOSCOW, Nov. 28.—The Zemtvos have passed resolutions condemning the Jewish massacres.

CHRISTIANIA, Nov. 28.—Hakon VIII. has taken the oath as King of Norway.

NEW YORK, Nov. 27.—President McCurdy, of the Mutual Life Insurance Company, and his relatives resigned their offices.

BOSTON, Nov. 27.—The National American Bank has suspended.

VIENNA, Nov. 27.—It is reported that Turkey has yielded to the fleet of the Powers.

WASHINGTON, D. C., Nov. 27.—The President has removed Assistant Treasurer Lieb of Philadelphia for violation of the civil service rules.

SEBASTOPOL, Nov. 27.—The Brest regiment has returned to allegiance to the government and reinforcements have arrived. The British Consul is chartering a vessel to remove the British subject.

ST. PETERSBURG, Nov. 27.—A band of rowdies assaulted and injured Second Secretary Bliss of the American Embassy. The assault has no political significance.

BOSTON, Nov. 27.—A railway collision has occurred on the Boston and Maine line near Lincoln. Eighteen persons were killed and burned and twenty-five injured.

ST. PETERSBURG, Nov. 27. The mutiny at Sebastopol has alarmed the government. It is feared that sedition is spreading to the army. De Witte has called an extraordinary session of the Cabinet,